

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
OF THE FARGO PARK DISTRICT OF JUNE 9, 2020**

The regular monthly meeting of the Board of Commissioners of the Park District of the City of Fargo was held on Tuesday, June 9, 2020, at 5:30 p.m. at the Fargo Park District office at 701 Main Avenue, Fargo, North Dakota. Commissioners Joe Deutsch, Jerry Rostad, Stacey Griggs appeared in person. Commissioner Vicki Dawson appeared virtually through Microsoft Teams. Present in person were Dave Leker, Carolyn Boutain, Brian Arett, and attorneys Thad Swanson and Andy Noah. Also appearing virtually through Microsoft Teams were Tyson Lund, Kevin Boe, Clay Whittlesey, Dave Bietz, Officer Marvig, Paul Grindeland and Diane Jones.

**Approval of Minutes**

Commissioner Stacey Griggs moved and Commissioner Vicki Dawson seconded a motion to approve the minutes as amended of the May 12, 2020 meeting. Upon call of the roll, the motion passed unanimously.

**Approval of May Bills**

Commissioner Joe Deutsch moved and Commissioner Stacey Griggs seconded a motion to approve the bills for May 2020 as presented. Upon call of the roll, the motion passed unanimously.

**Approval of Order of Agenda**

Commissioner Joe Deutsch moved and Commissioner Stacey Griggs seconded a motion to approve the amended agenda as presented. Upon call of the roll, the motion passed unanimously.

**Director's Report**

Dave Leker presented to the Board. It was noted that the Park District is implementing a process for third parties to present capital projects to the Park District through an online form. Rusty Papachek was recognized for his 4 year terms serving as a commissioner. Clay Whittlesey was recognized for his 30 years working at the Fargo Park District. Golf Pro Lisa Schwinden was recognized for earning master professional status.

No action was taken on this matter.

**Foundation Director's Report**

Brian Arett presented to the Board on this matter. It was noted that the Foundation is scheduled to meet on June 15 to continue pushing the sports complex funding forward. It was also noted that Valley Senior Services programming is up 15%, including more meals being served in April than any month prior.

No action was taken on this matter.

### **Fargo-Moorhead Community Theatre (FMCT) Lease**

Dave Leker presented to the Board on this matter. It was noted that FMCT needs to repair the roof that collapsed on their building which is located on Park District land. It was noted that FMCT desires to further expand their footprint on the Park District land as well. It was noted that the land was granted to the Park District from the city of Fargo and a railroad company. It was noted that both the city and the railroad company would have to agree to expansion of the FMCT building and likely needs to agree to the repairing of the roof on the current footprint. It was noted that the FMCT needs to begin work on the building immediately. Attorney Andy Noah noted that if the Park District is going to move forward with a new lease with FMCT that the Park District should make FMCT hold the Park District harmless for any claims that could be brought by the city of Fargo and the railroad company.

Commissioner Joe Deutsch moved and Commissioner Stacey Griggs seconded a motion to authorized legal counsel to draft an addendum to the current lease and for the executive director to execute the lease upon completion between the Park District and Fargo-Moorhead Community Theatre that acknowledges the existing use restrictions on the property and that Fargo-Moorhead Community Theatre will hold the Park District harmless and indemnify the Park District for any and all claims for violations of the existing use restrictions with a new lease term of six months and with options for extensions thereafter. Upon call of the roll, the motion passed unanimously.

### **Approval of Request from Fargo Youth Baseball to Construct a Clubhouse at Starion Field**

Dave Leker presented to the Board on this matter. It was noted that Fargo Youth Baseball is requesting permission to building a clubhouse at Starion Field. It was noted that Fargo Youth Baseball is not seeking any funding from the Park District. It was noted that Fargo Youth Baseball would be responsible for insurance, maintenance and construction costs. It was noted that Fargo Youth Baseball has grown substantially and is need of further space for its players.

Commissioner Joe Deutsch moved and Commissioner Vicki Dawson seconded a motion to approve the request for Fargo Youth Baseball to construct a clubhouse at Starion Field as presented to the Board and for the Park District and Fargo Youth Baseball to enter into an Addendum to their 2018 agreement to include the construction of said clubhouse. Upon call of the roll, the motion passed unanimously.

### **Approval of Alteration to Agreement with the City of Fargo for the land at the Northside Softball Complex to Accommodate the Northside Flood Risk Management Project.**

Dave Bietz presented to the Board on this matter. It was noted that the city of Fargo is planning to build a flood protection project north of the airport to protect the developing industrial park. It was noted that the Park District and the City of Fargo worked to coordinate the city's levee with the Park District's ultimate buildout for the Northside Softball Complex. It was noted that levee should not negatively impact the Northside Softball Complex.

Commissioner Joe Deutsch moved and Commissioner Stacey Griggs seconded a motion to approve the Alternation to the Agreement with the City of Fargo for the land at the Northside Softball Complex to Accommodate the Northside Flood Risk Management Project as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval of 2019/2020 Fargo Wildlife Management Program and request continuation of the 2020/2021 Season**

Officer Josh Marvig presented to the Board on this matter. It was noted that the Park District modified the training this year to include more testing. It was noted that 21 deer were harvested last year under the program and that once again there were little to no incidents surrounding the program.

Commissioner Stacey Griggs moved and Commissioner Vicki Dawson seconded a motion to approve the 2019/2020 Fargo Wildlife Management Program and to continue the program for the 2020/2021 season as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval of Agreement between Fargo Park District and WDAY regarding FM Trailbuilders**

Dave Leker presented to the Board on this matter. It was noted that FM Trailbuilders are requesting to construct, maintain, and use single track trails off WDAY property off South University. It was noted that the Park District has partnered with FM Trailblazers and other property owners in south Fargo for trails.

Commissioner Joe Deutsch moved and Commissioner Stacey Griggs seconded a motion to approve the Agreement relating to constructing single-track trails on Forum Communications Company property located adjacent to South University Drive as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval of Section 5339 Federal Transit Funding Resolution for Valley Senior Services**

Paul Grindeland presented to the Board on this matter. It was noted that the North Dakota Department of Transportation requires a board approved Section 5339 Transit Funding Resolution that will allow Valley Senior Services to apply for replacement vehicle funding.

Commissioner Vicki Dawson moved and Commissioner Joe Deutsch seconded a motion to approve the Section 5339 Federal Transit Funding Resolution as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval of Revisions to Valley Senior Services Drug and Alcohol Policy**

Paul Grindeland presented to the Board on this matter. It was noted the North Dakota Department of Transportation request the Board to review the Drug and Alcohol Policy every three years. It was noted that the changes this year were very minor from the previous policy.

Commissioner Vicki Dawson moved and Commissioner Stacey Griggs seconded a motion to approve the Valley Senior Service Transit Drug and Alcohol Policy as presented to the Board. Upon call of the roll, the motion passed unanimously.

**Approval of Lease Agreement with CHISOM**

Kevin Boe presented to the Board on this matter. It was noted that CHARISM is merging with the Boys and Girls Club and that as a result the Park District needs to terminate the lease Agreement with CHARISM and have a new agreement with Chisom Housing Group for McCormick Park. It was noted that Chisom Housing Group would offer the same services as CHARISM at McCormick Park.

Commissioner Stacey Griggs moved and Commissioner Joe Deutsch seconded a motion to approve terminating the agreement CHARISM and entering into a new lease agreement with Chisom Housing Group as presented to the Board. Upon call of the roll, the motion passed unanimously.

#### **Approval of Amendment to Lease with Edgewood Tavern**

Carolyn Boutain presented to the Board on this matter. It was noted that the current lease agreement with Spirit Properties dba Edgewood Tavern requires the tenant to pay for independent WIFI service. It was noted that the tenant requested that the agreement be changed to allow for shared WIFI services due to the cost of installing separate service. It was noted that tenant would pay for all set-up fees and equipment to split the network into two parts. It was noted that the reoccurring costs would be split 50-50 between the parties.

Commissioner Joe Deutsch moved and Commissioner Stacey Griggs seconded a motion to approve the Amendment to the Lease with Edgewood Tavern as presented to the Board. Upon call of the roll, the motion passed unanimously.

#### **Approval of Proposed Golf Fees for 2021**

Carolyn Boutain presented to the Board on this matter. It was noted that the Park District does an annual review of golf fees. It was noted that the proposed fees are a 1.2% increase with rounding adjustments based on the CPI. It was noted that the Park District would look at possibly increasing the fees even more at the end of this season.

Commissioner Joe Deutsch moved and Commissioner Stacey Griggs seconded a motion to approve the 2021 golf fees as presented to the Board. Upon call of the roll, the motion passed unanimously.

#### **Review and Discuss offer for Robert D. Johnson Building**

Dave Leker presented to the Board on this matter. It was noted that this building has been discussed at previous meetings. It was noted that Cass County presented an offer to purchase the property for \$600,000.00. It was noted that the Park District has an appraisal stating the value of the property is \$950,000.00 along with costs into the property of approximately \$750,000.00. The commissioners agreed that they are not in position to accept this offer based on the information available.

No action was taken on this matter.

#### **Approval of Amendment to Donation of Annual Leave Policy No. 235 related to Covid-19**

Diane Jones presented to the Board on this matter. It was noted that Policy No. 235 would be amended to accommodate individuals who many need to be home for additional periods of time due to Covid-19. It was noted the policy has been updated to allow employees who have been with the Park District to receive donations and that it will run through the end of this year.

Commissioner Joe Deutsch moved and Commissioner Vicki Dawson seconded a motion to approve the Amendment to Donation of Annual Leave Policy No. 235 as presented to the Board. Upon call of the roll, the motion passed unanimously.

At the conclusion of the above agenda items, a motion to adjourn was made and seconded, and upon unanimous consent the meeting adjourned at approximately 7:15 p.m.

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Jeffrey B. Gunkelman